CHAPTER 25 RULES FOR EXPANDED NEWS MEDIA COVERAGE

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CHAPTER 25 RULES FOR EXPANDED NEWS MEDIA COVERAGE

Rule 25.1 Definitions. As used in this chapter:

- **25.1(1)** "Expanded news media coverage" includes broadcasting, recording, photographing, and live electronic reporting of judicial proceedings by the news media for gathering and disseminating news in any medium. Expanded news media coverage is limited to the news media unless otherwise ordered by the judicial officer.
- **25.1(2)** "Good cause" for purposes of exclusion under this chapter means that coverage will have a substantial effect upon the objector that would be qualitatively different from the effect on members of the public in general.
- **25.1(3)** "Judicial officer" means the magistrate, district associate judge, or district judge presiding in a trial court proceeding, or the presiding judge or justice in an appellate proceeding.
- **25.1(4)** "Judicial proceedings" or "proceedings" includes all public trials, hearings, or other proceedings in a trial or appellate court, including those occurring in person or remotely by video or teleconference, for which expanded news media coverage is requested, except those specifically excluded by this chapter.
- **25.1(5)** "News media" includes any person who regularly gathers, prepares, photographs, records, writes, edits, reports, or publishes news or information about matters of public interest in any medium and who successfully applies to the news media coordinator to participate in expanded news media coverage and agrees to comply with all court rules.
- **25.1(6)** "News media coordinator" includes news media coordinating councils as well as the designees of such coordinators or councils.
- [Court Order November 9, 2001, effective February 15, 2002; April 2, 2014, effective May 1, 2014; January 14, 2022]
- **Rule 25.2 General.** Expanded news media coverage of judicial proceedings will be permitted under the following conditions:
- **25.2(1)** *Prior authorization.* No expanded news media coverage shall occur without prior express authorization from the judicial officer, who may prescribe conditions of coverage as provided in this chapter.
- **25.2(2)** Rights to a fair trial. Expanded news media coverage of a proceeding is permitted, unless the judicial officer concludes, for reasons stated on the record, that under the circumstances of the particular proceeding, such coverage would materially interfere with the rights of the parties to a fair trial.
 - **25.2(3)** *Coverage of witnesses.*
- a. Expanded news media coverage of a witness may be refused by the judicial officer upon objection and showing of good cause by the witness.
- b. In prosecutions for sexual abuse, or for charges in which sexual abuse is an included offense or an essential element of the charge, no expanded news media coverage of the testimony of a victim witness is permitted unless such victim witness consents.
- c. Objection by a victim or witness in any other forcible felony prosecution, and by police informants, undercover agents, and relocated witnesses, shall enjoy a rebuttable presumption of validity. The presumption is rebutted by a showing that expanded news media coverage will not have a substantial effect upon the particular individual objecting to such coverage that would be qualitatively different from the effect on members of the public in general.
 - **25.2(4)** *Initial appearances in criminal proceedings.*
- a. Oral or written requests for expanded news media coverage of initial appearances in criminal proceedings must be made to the judicial officer presiding over the proceeding. Such expanded news media coverage, if authorized by the judicial officer, is subject to objection by the prosecutor, defendant, or defendant's attorney.
- b. The defendant shall be advised by the judicial officer of the defendant's right to orally object to expanded news media coverage prior to the commencement of the proceeding, and any such objection will be heard and determined by the judicial officer prior to the commencement of the proceeding. The judicial officer may rule on the basis of the oral objection alone.

- c. A judicial officer's authorization of expanded news media coverage of an initial appearance applies only to the particular initial appearance. Authorization for expanded news media coverage of proceedings subsequent to the initial appearance must be requested separately under rule 25.3(2)(b).
- **25.2(5)** Private court proceedings. Expanded news media coverage is prohibited for any court proceeding which, under Iowa law, is required to be held in private. Coverage is prohibited in any juvenile, dissolution, adoption, child custody, or trade secret cases unless consent on the record is obtained from all parties, including a parent or guardian of a minor child.
- **25.2(6)** *Jury selection.* Expanded news media coverage of jury selection is prohibited. Expanded news media coverage of the return of the jury's verdict shall be permitted. In all other circumstances, however, expanded news media coverage of jurors is prohibited except to the extent it is unavoidable in the coverage of other trial participants or courtroom proceedings. The policy of the rules in this chapter is to prevent unnecessary or prolonged photographic or video coverage of individual jurors.
- **25.2(7)** *Court conferences.* There shall be no audio pickup or broadcast of conferences in a court proceeding between attorneys and their clients, between co-attorneys, between attorneys and the judicial officer held at the bench or in chambers, or between judicial officers in an appellate proceeding.
- **25.2(8)** *Equipment.* The quantity and types of equipment permitted in the courtroom are subject to the discretion of the judicial officer within the guidelines set out in this chapter.
- **25.2(9)** Variance application. Notwithstanding the provisions of any of the procedural or technical rules in this chapter, the judicial officer, upon application of the news media coordinator, may permit the use of equipment or techniques at variance with the rules, provided the application for variance is included in the advance notice of coverage provided for in rule 25.3(2). Objections, if any, shall be made as provided in rule 25.3(3). Ruling upon such a variance application is in the sole discretion of the judicial officer, who may allow such variances without advance application or notice if all attorneys and parties consent to the variance.
- **25.2(10)** Limiting coverage during proceeding. The judicial officer may, as to any or all news media participants, limit or terminate expanded news media coverage at any time during the proceedings in the event the judicial officer finds that rules established under this chapter, or additional rules imposed by the judicial officer, have been violated or that substantial rights of individual participants or rights to a fair trial will be prejudiced by such manner of expanded news media coverage if it is allowed to continue.
- **25.2(11)** *Limited to news media.* The privileges of expanded news media coverage provided for in these rules may be exercised only by persons or organizations that are part of the news media.
- **25.2(12)** *Identification.* All news media personnel authorized to conduct expanded news media coverage during judicial proceedings must clearly identify the person's name and media affiliation at all times during the proceeding, and physical identification must be worn for all in-person proceedings.
- **25.2(13)** Ceremonial proceedings. A judicial officer may authorize expanded news media coverage of investitive or ceremonial proceedings at variance with the procedural and technical rules of this chapter as the judicial officer sees fit.
- **25.2(14)** Broadcasting or livestreaming by judicial officers. Judicial officers may broadcast or livestream a judicial proceeding to alternative locations outside the courtroom to accommodate overflow crowds or for other purposes at the presiding judge's discretion. Unless otherwise provided, the rules in this chapter apply equally to any judicial proceeding being broadcast or livestreamed pursuant to this rule.

[Amended by Court Order September 26, 1984, effective October 10, 1984; November 9, 2001, effective February 15, 2002; April 2, 2014, effective May 1, 2014; January 14, 2022]

Rule 25.3 Procedural.

25.3(1) News media coordinator and coordinating councils. News media coordinators will be appointed by the supreme court from a list of nominees provided by a representative of the news media whom the supreme court designates. The judicial officer and all interested members of the news media will work, whenever possible, with and through the appropriate news media coordinator regarding all arrangements for expanded news media coverage. The supreme court will designate the jurisdiction of each news media coordinator. In the event a news media coordinator has not been nominated or is not available for a particular proceeding, the judicial officer may deny expanded news media coverage or may appoint an individual from among local working representatives of the news media to serve as the coordinator for the proceeding.

25.3(2) Advance notice of coverage.

- a. All requests for expanded news media coverage in all proceedings, except initial appearances in criminal cases, shall be made to the news media coordinator. The news media coordinator, in turn, shall inform the attorneys for all parties and the judicial officer at least seven days in advance of the time the proceeding is scheduled to begin, but these times may be extended or reduced by court order. When the proceeding is not scheduled at least seven days in advance, the news media coordinator or news media coordinating council must give notice of the request as soon as practicable after the proceeding is scheduled.
- b. Notice must be filed electronically or by paper copy with the appropriate clerk of court. A copy of the notice shall be sent electronically, delivered by ordinary mail, or delivered in person to the last known contact of all attorneys of record, parties appearing without attorney representation, the appropriate court administrator, and the judicial officer expected to preside at the proceeding for which expanded news media coverage is requested.
- c. Only one request for expanded news media coverage is required for all district court proceedings in the same case or trial, except that initial appearances in criminal cases require a separate request pursuant to rule 25.2(4).
- d. A separate request for expanded news media coverage must be made for Iowa Supreme Court and Iowa Court of Appeals oral arguments, pursuant to rule 25.5.
- e. Form 1 in rule 25.10 is the notice form for the news media coordinator to use to inform the attorneys for all parties and the judicial officer of a request for expanded news media coverage of the proceeding.

25.3(3) Objections.

- a. A party to any proceeding, except an initial appearance in a criminal case, objecting to expanded news media coverage under rule 25.2(2) must file a written objection, stating the grounds for objection, at least three days before commencement of the proceeding.
- b. All witnesses must be advised by the attorney proposing to introduce their testimony of their right to object to expanded news media coverage, and all objections by witnesses under rule 25.2(3) must be filed prior to commencement of the proceeding.
- c. Witnesses shall be entitled to the assistance of the clerk of court in providing copies of this objection to all attorneys of record, parties appearing without attorney representation, the news media coordinator for the judicial district, the district court administrator for the judicial district, and the judicial officer expected to preside in the proceeding.
- d. All objections shall be heard and determined by the judicial officer prior to the commencement of the proceedings. The judicial officer may rule on the basis of the written objection alone.
- e. The objecting party or witness, and all other parties, may be afforded an opportunity to present additional evidence by affidavit or by such other means as the judicial officer directs. The judicial officer in absolute discretion may permit presentation of such evidence by the news media coordinator in the same manner.
- f. Time for filing of objections may be extended or reduced in the discretion of the judicial officer, who also, in appropriate circumstances, may extend the right of objection to persons not specifically provided for in this chapter.
- g. Form 2 in rule 25.10 is the form for parties and Form 3 is the form for witnesses to use to object to expanded news media coverage of the proceeding. [Court Order November 9, 2001, effective February 15, 2002; May 27, 2010; April 2, 2014, effective May 1,

2014; April 29, 2014, effective May 1, 2014; July 22, 2016]

Rule 25.4 Technical.

- **25.4(1)** Equipment specifications. Equipment used by the news media in courtrooms during judicial proceedings must be unobtrusive and must not produce distracting sound. In addition, such equipment must satisfy the following criteria, where applicable:
- a. Still cameras. Still cameras and lenses must be unobtrusive and not cause distracting light or sound.
- b. Television cameras and related equipment. Television cameras, together with any related equipment to be located in the courtroom, must be unobtrusive in both size and appearance, without distracting sound or light. Television cameras are to be designed or modified so that participants in the judicial proceedings are unable to determine when recording is occurring.
- c. Audio equipment. Microphones, wiring, and audio recording equipment must be unobtrusive and of adequate technical quality to prevent interference with the judicial proceeding being covered.

The judicial officer must approve any changes in existing audio systems. No modifications of existing systems shall be made at public expense. Microphones for attorneys and judicial officers to use must be equipped with off/on switches to facilitate compliance with rule 25.2(7).

- d. Electronic devices. All electronic devices used for recording audio, video, or still images must adhere to rule 25.4(3)(a). All other electronic devices not used for recording audio, video, or still images must be unobtrusive and not cause distracting light or sound, and are not subject to the limitations of rule 25.4(3)(a). Electronic devices include, but are not limited to, laptop computers, cellular telephones, personal digital assistants, smart phones, and tablet computers.
- e. Advance approval. It is the duty of news media personnel to demonstrate to the judicial officer reasonably in advance of the proceeding that the equipment sought to be utilized meets the criteria set forth in this rule. Failure to obtain advance judicial approval for equipment may preclude its use in the proceeding. All news media equipment and personnel must be in place at least fifteen minutes prior to the scheduled time of commencement of the proceeding.
- **25.4(2)** *Lighting.* Other than light sources already existing in the courtroom, no flashbulbs or other artificial light device of any kind shall be employed in the courtroom. With authorization from the judicial officer modifications may be made in light sources existing in the courtroom (e.g., higher wattage lightbulbs), provided such modifications are installed and maintained without public expense.
- **25.4(3)** *Equipment and pooling.* The following limitations on the amount of equipment and number of photographic and broadcast news media personnel in the courtroom apply:
- a. Video recording, audio recording, and still photography. Not more than five total members of the news media using still cameras, television cameras, audio recorders, and electronic devices, or any combination of the four, to photograph, video, or record audio are permitted in the courtroom during a judicial proceeding. Each still photographer may use two camera bodies each with a fixed lens or one camera body and two lenses. Where possible, all recording and broadcasting equipment that is not a component part of a camera or an electronic device and any operating personnel shall be located outside of the courtroom. Audio pickup for broadcast coverage must be accomplished from any existing audio system present in the courtroom if such pickup would be technically suitable for broadcast.
- b. Electronic devices not used for recording audio, video, or still images. The devices defined in rule 25.4(1)(d) may be used in the courtroom by members of the news media for live electronic reporting with advance approval from the judicial officer, provided the equipment does not make any disruptive noise or interfere with court equipment. Electronic devices may not be used for telephone calls by anyone in the courtroom. Electronic devices for photography, video recording, audio recording, or streaming video may not be used by anyone in the courtroom unless approved by the judicial officer in advance of the proceeding as defined in rule 25.4(3)(a). The rule applies to news media only as defined in rule 25.1. Use of electronic devices for purposes other than expanded news media coverage is at the discretion of the court.
- c. Pooling. Where the above limitations on equipment and personnel make it necessary, the news media shall be required to pool equipment and personnel. Pooling arrangements are the sole responsibility of the news media coordinator, and the judicial officer will not mediate any dispute as to the appropriate news media representatives authorized to cover a particular judicial proceeding. Representatives of news media are responsible for contributing to electronic pool coverage of judicial proceedings when necessary. If a news organization is incapable of contributing to pool coverage, the news media coordinator may allow the news organization to share the pool coverage or may restrict the news organization's coverage.
- **25.4(4)** Location of equipment and personnel. Equipment and operating personnel, including news media using electronic devices to transmit and receive data communication, must be located in, and coverage of the proceedings must take place from, an area or areas the judicial officer designates within the courtroom. The area or areas designated shall provide reasonable access to the proceeding to be covered.
- **25.4(5)** Movement during proceedings. Television cameras and audio equipment may be installed in or removed from the courtroom only when the court is not in session. In addition, such equipment shall at all times be operated from a fixed position. News media personnel are prohibited from moving about the courtroom while proceedings are in session and from engaging in any movement that attracts undue attention.

25.4(6) *Decorum.* All news media personnel shall be properly attired and shall maintain proper courtroom decorum at all times while covering a judicial proceeding.

[Court Order October 9, 1975; December 22, 1981 — received and published May 1982; July 19, 1989; March 9, 1994, effective April 1, 1994; November 9, 2001, effective February 15, 2002; April 2, 2014, effective May 1, 2014; January 14, 2022]

Rule 25.5 Supreme court and court of appeals expanded news media coverage.

- 25.5(1) The rules in this chapter pertaining to expanded news media coverage apply to any in-person news media coverage occurring within any space, room, or auditorium in which the supreme court or court of appeals conducts oral arguments or other hearings.
- 25.5(2) The rules in this chapter pertaining to expanded news media coverage do not apply to remote viewing of any appellate court oral argument or other hearing being livestreamed or broadcast.
- **25.5(3)** The prohibitions in rule 25.2(5) on the types of cases subject to expanded news media coverage do not apply to appellate court oral arguments or other hearings.
- **25.5(4)** The rules in this chapter allowing objections to expanded news media coverage do not apply to appellate court oral arguments or other hearings.
- 25.5(5) The news media coordinator for the appellate courts must file a written request for expanded news media coverage of a supreme court or court of appeals oral argument or other hearing with the clerk of the supreme court no later than the Friday immediately preceding the week in which the oral argument or other hearing is to be held.
- **25.5(6)** The news media coordinator for the appellate courts must use rule 25.10—Form 4: *News Media Coordinator's Notice of Request for Expanded News Media Coverage of Appellate Court Proceeding* to inform the attorneys for all parties and the presiding justice or judge of a request for expanded news media coverage of an oral argument or other hearing.

[Court Order February 17, 2006; April 9, 2009; April 2, 2014, effective May 1, 2014; April 29, 2014, effective May 1, 2014; July 22, 2016; January 14, 2022]

Rules 25.6 to 25.9 Reserved.

Rule 25.10 Forms.

Rule 25.10—Form 1: News Media Coordinator's Notice of Request for Expanded News Media Coverage of Trial or Proceeding

The expanded news media coordinator uses this form to give notice of a request for expanded news media coverage to the
attorneys for all parties and the judicial officer at least seven days before the proceeding begins.

• A	separate request for expanded news media coverage mus	st be made for appellate court arguments.
	In the lowa District Court for_	County
_		County where you are filing this form
Pla vs.	aintiff Full name: first, middle, last	News Media Coordinator's Notice of Request for Expanded News Media Coverage of Trial or Proceeding
De	fendant Full name: first, middle, last	
	e undersigned news media coordinator sta	
1.	Certain representatives of the news med	lla Want to use: Check each that applies
	A. Photographic equipment,B. Television cameras,	
	C. Electronic sound recording equip	ment, or
	D. Other electronic devices,	
	in courtroom coverage of the above proc	eeding.
2.	The case, trial, or proceeding to be cover scheduled for the day of, 20	red by expanded news media coverage isa.mp.m. at the
	Day Month Year	r Time County
	County Courthouse, City	, lowa. The request for expanded news media
	coverage includes every part of such cas 25 of the lowa Court Rules.	se, trial, or proceeding as allowed under Chapter
3.	The request for expanded news media conumber of photographers with still came	overage is described as follows (for example, the ras):

Continued on next page

 $\label{lem:condinator} \textbf{Rule 25.10} \\ -\text{Form 1: } \textit{News Media Coordinator's Notice of Request for Expanded News Media Coverage of Trial or Proceeding, } \\ \text{continued}$

This notice of request for expanded news media coverage is filed: Check one A. At least seven days in advance of the case, trial, or proceeding for which expanded news media coverage is requested; or B. This notice cannot be filed within seven days of the case, trial, or proceeding because of the following reasons:		
erson to the last known address of torney representation, the district dicial officer expected to preside a nedia coverage is requested, as fo		
itorneys:		
arties appearing without attorney i	representation:	
istrict court administrator:		
6. The undersigned news media coordinator requests expanded news media proceeding as described in this notice.		
	/s/	
	News media coordinator's printed name	
	Judicial District of Iowa	
	Mailing address	
	City State ZIP code	
	Phone number	
	Email address	

 July 2016
 Rule 25.10—Form 1
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Rule 25.10—Form 2: Objection of Party to Expanded News Media Coverage of Trial or Proceeding

- · This form is used when a party to the proceeding objects to expanded news media coverage of a trial or proceeding.
- The party's objection must be filed three days before the start of the proceeding in the court in which the proceeding will be held.

ln '	the lowa District Court for	County where you are filing this form		
		No.		
Plaintiff Full name: first, middle, last		Objection of Party to Expanded News Media Coverage of Trial or Proceeding		
De	fendant Full name: first, middle, last			
The	e undersigned party, or the party identified b	elow, in this proceeding states as follows:		
1.	There is a request for expanded news med	lia coverage of this proceeding.		
2.		ded news media coverage, under the particular naterially interfere with the right of the party to a ircumstances support this objection:		
3.	This objection is filed at least three days before the start of the proceeding for which expanded news media coverage is requested.			
4.	A copy of this objection has been sent electronically, delivered by ordinary mail, or delivered in person to the last known address of all attorneys of record, parties appearing without attorney representation, the district court administrator for this judicial district, and the judicial officer expected to preside at the trial or proceeding for which expanded news media coverage is requested.			
5.		a coverage of this proceeding for the reasons		
	Print full name of party	/s/		
		Law firm, or entity for which filing is made, if applicable		
		Mailing address		
		City State ZIP code () Phone number		
		Email address		
		Additional email address, if available		
May	/ 2014 Rule 25 1	10—Form 2 Page 1 of		

[Court Order December 22, 1981 — received and published May 1982; November 9, 2001, effective February 15, 2002; February 17, 2006; April 2, 2014, effective May 1, 2014; April 29, 2014, effective May 1, 2014]

Rule 25.10—Form 3: Objection of Witness to Expanded News Media Coverage of Testimony

- A witness called to testify in a proceeding uses this form to object to expanded news media coverage of the testimony of the witness.
- An objection of the witness to expanded news media coverage of the testimony of the witness must be filed with the court at least three days before commencement of the proceeding.

ln '	the lowa District Court for		_ County
_	Co	ounty where you are filing this form	
Pla vs.	aintiff Name	No	
De	fendant Name		
The	e undersigned witness, or witness identified b	elow, in this proceeding states as foll	ows:
1.	Expanded news media coverage is requeste begin in the near future.	ed for this proceeding, which is sched	luled to
2.	The witness expects to be called to testify in	n this case.	
3.	The witness objects to expanded news med following specific reasons:	lia coverage of testimony of the witne	ss for the
4.	The witness understands this objection mus days before commencement of the proceed		st three
5.	The witness asks the clerk of court for assis attorneys of record, parties appearing witho judicial district, the district court administrate expected to preside in this proceeding.	ut attorneys, the media coordinator fo	or this
6.	The witness objects to expanded news med reasons stated above.	lia coverage of testimony of the witne	ss for the
	Print full name of witness	/s/	
th 16	ote: A witness may file this form in paper with e clerk of court under lowa Court Rule 6.302(2), providing exceptions from electronic ing.	Law firm, or entity for which filing is made, Mailing address (optional for witness)	if applicable
ca wv Pe	you need assistance to participate in court due to a disability, il the disability coordinator (information at ww.iowacourts.gov/Representing_Yourself/ADAAccess). ersons who are hearing or speech impaired may call Relay wa TTY (1-800-735-2942). Disability coordinators cannot ovide legal advice.	City State () Phone number (optional for witness)	ZIP code
		Email address (optional for witness)	
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[Court Order December 22, 1981 — received and published May 1982; July 19, 1989; November 9, 2001, effective February 15, 2002; February 17, 2006; April 2, 2014, effective May 1, 2014; April 29, 2014, effective May 1, 2014]

Rule 25.10—Form 4: News Media Coordinator's Notice of Request for Expanded News Media Coverage of Appellate Court Proceeding

- · A separate request for expanded news media coverage must be made for appellate court oral arguments.
- A written request for expanded news media coverage within the supreme court and court of appeals courtrooms must be filed
 with the clerk of the supreme court no later than the Friday immediately preceding the week in which the argument is to be
 held

	In the Iowa Appellate Courts		
		Appellate Case No.	
List VS.	Appellant or Appellee as captioned in the appeal	News Media Coordinator's Notice of Request for Expanded News Media Coverage of Appellate Court Proceeding	
List	Appellant or Appellee as captioned in the appeal		
The	e undersigned news media coordinator states	as follows:	
1.	Certain representatives of the news media		
١.	A. Photographic equipment,	want to use. Check each that applies	
	B. Television cameras,		
	C. Electronic sound recording equipment,	or	
	D. Other electronic devices,	31	
	in courtroom coverage of appellate proceedings	in the case identified above	
2.	The proceeding to be covered by expanded		
	the day of , 20	_	
	Day Month Year	<i>Time</i> □ p.m.	
	☐ Iowa Judicial Branch Building in Des Moines, Iowa; or		
	Specific location of oral argument		
	The oral argument will be held before the		
	lowa Supreme Court; or		
	lowa Court of Appeals		
	The request for expanded news media coverallowed under Chapter 25 of the Iowa Cour	erage includes every part of such proceeding as t Rules.	
3.	The request for expanded news media cove number of photographers with still cameras	erage is described as follows (for example, the):	

 $\label{lem:condition} \textbf{Rule 25.10} - \textbf{Form 4: News Media Coordinator's Notice of Request for Expanded News Media Coverage of Appellate Court Proceeding, continued$

4. This notice of request for expanded news media coverage is filed: Check one	
A. 🗆	No later than the Friday immediately preceding the week in which the argument is to be held; or
В. 🗌	This notice cannot be filed on or before the Friday immediately preceding the week in whice the argument is to be held because of the following reasons:
person attorne	y of this notice will be sent electronically, delivered by ordinary mail, or delivered in not to the last known address of all attorneys of record, parties appearing without bey representation, the state court administrator, and the justice or judge expected to e at the oral argument for which expanded news media coverage is requested, as so:
Attorne	eys:
Parties	s appearing without attorney representation:
State 0	Court Administrator:
Presid	ling Justice or Judge:
	ndersigned news media coordinator requests expanded news media coverage of this eding as described in this notice.
	/s/
	News media coordinator's signature
	News media coordinator's printed name
	Mailing address
	City State ZIP code
	()
	Phone number
	Email address
	Additional email address, if available